



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TWANA ADAMS, et al.,

Plaintiffs,

- against -

NEW YORK STATE DEPARTMENT OF
EDUCATION, et al.,

Defendants.
-----X

08 Civ. 5996(VM)

DECISION AND ORDER

VICTOR MARRERO, United States District Judge.

By Order dated January 7, 2009, Magistrate Judge Andrew Peck, to whom this matter had been referred for supervision of pretrial proceedings, issued a Report and Recommendation (the "Report"), a copy of which is attached and incorporated herein, recommending that the claims of five pro se plaintiffs in this action, Olga Batyreva ("Batyreva"), Jaime Castro, Jacqueline Sawyer, Alex Schreiber and Gilda Teel (deceased) (collectively "Plaintiffs"), be dismissed for failure to comply with an Order to Show Cause dated December 11, 2008 (the "Order"). That Order directed all pro se plaintiffs in this action to attend a conference with the Court scheduled for January 7, 2009. Plaintiffs failed to appear. Batyreva subsequently filed a response to the Order setting forth the reasons why she did not attend the conference. Magistrate Judge Peck then amended the Report so as to withdraw his recommendation of dismissal as to Batyreva. The four other Plaintiffs did not respond to the Report by the deadline for filing objections.

Accordingly, substantially for the reasons stated by Magistrate Judge Peck in the Report, the Court adopts the Report in

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its entirety as to Plaintiffs except Batyreva.

ORDER

For the reasons stated above, it is hereby

ORDERED that the Report and Recommendation of Magistrate Judge Andrew Peck dated January 7, 2009 (Docket No. 55) is adopted in its entirety as to plaintiffs Jaime Castro, Jacqueline Sawyer, Alex Schreiber and Gilda Teel (deceased), and the Clerk of Court is directed to enter judgment dismissing the claims of these plaintiffs.

SO ORDERED.

Dated: NEW YORK, NEW YORK
February 3, 2009

A handwritten signature in black ink, consisting of several fluid, overlapping loops and strokes, positioned above a horizontal line.

Victor Marrero
U.S.D.J.